CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

JULY 15, 2008

INVOCATION:
Rev. Gary Hanson of Grace Lutheran Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Trujillo led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino

STAFF MEMBERS PRESENT
City Manager Ness, Senior Assistant City Attorney/Utilities Counsel Stockton, Assistant City Manager Haydon, Director of Public Works/City Engineer Whitehead, Director of Recreation and Parks Posada, Director of Administrative Services Snodgrass, Director of Community Development Lindsey, Police Chief Macagni, Fire Chief Ortiz, Director of Utilities Sweet, Planner III Shipsey, and Chief Deputy City Clerk Perez.

RESOLUTION COMMENDING MALIA SPENCER
Mayor Lavagnino read a resolution recognizing and commending Malia Spencer, Senior Staff Reporter for the *Santa Maria Times,* for her service to the community as a conscientious journalist who strives to serve the public with thoroughness and honesty and wishing her the best in her new journey and all future endeavors.

Resolution No. 2008-119 was adopted on motion by Mayor Lavagnino, seconded by Councilmember Patino, and carried on the following vote:

AYES:	Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2008-119 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, RECOGNIZING AND COMMENDING MALIA SPENCER.

Mayor Lavagnino presented the resolution to Malia Spencer and thanked her for her excellent reporting on behalf of the City.

PROCLAMATION – RECREATION AND PARKS MONTH
Councilmember Orach read a proclamation declaring the month of July 2008 as "Recreation and Parks Month" in the City of Santa Maria and encouraging the community to enjoy and participate in the benefits of public and private parks and recreation programs, services, and facilities. The proclamation was accepted by Recreation and Parks Commissioner Sister Janet Corcoran.

VOLUNTEER OF THE MONTH
Councilmember Zacarías presented a gift to Greg Hagopian, Recreation and Parks Volunteer of the Month for July 2008, for his leadership and commitment as the head coach for the Northern Santa Barbara County Special Olympics golf program for the past three seasons.

PROCLAMATION – U. S. STUDENT AMBASSADOR PROGRAM
Councilmember Patino read a proclamation recognizing the U.S. Student Ambassador Program "Peace through Understanding" dedicated to enhancing cross-cultural communication within and across communities and nations. The proclamation was accepted by Keyona Richey and local students from the U.S. Student Ambassador Program.

PUBLIC COMMENT
Mark Rademaker spoke against the Planned Parenthood Center in Santa Maria.

Sister Janet Corcoran spoke about the Santa Maria levee funding and thanked the All-America City Committee for the 10th Anniversary Hometown Celebration.

Glenda Stafford spoke about the problems on Colorado and Pennsylvania Streets and asked for a status report on what was being done.

Paula James, Minutemen Civil Defense Corps, spoke about several recent articles she read regarding Latin gangs and the war going on at the U.S. southern border.

Peggy Jordan spoke about the County Association of Governments meeting over the last six months to try to figure out what to do about gangs. She felt it was time to take action. She suggested a County-wide gang injunction and ending the safe harbor attitude in the City.

Gwen Wood spoke about the death of a field worker in June and big businesses exploiting illegal workers.

CONSENT CALENDAR
Councilmember Zacarías requested Item 3-J be pulled for comment. Mayor Lavagnino requested Item 3-F be pulled for discussion.

Item 3F – Alcoholic Beverage License at 112 East Grant Street
Mayor Lavagnino stated he was convinced that the way the census tracts were laid out was not totally fair for the people asking for the ABC Licenses. The City had to look at how these decisions were being made. This application and one coming up in the near future for a large market both had problems with the census tracts. He felt the Council should make a finding of public convenience and necessity for this particular application. He asked that it be pulled for a separate vote.

Councilmember Patino stated she felt there were too many stores in Santa Maria where children were present that sold off-sale alcoholic beverages. The Council needed to stay focused on safe neighborhoods, and this application did not add to that. She felt this application should be denied.

Councilmember Trujillo stated he agreed with Mayor Lavagnino. The Council had to look at these individually. When the application was for a large store that would have a lot of economic muscle, the tendency was to be a little more lenient. He felt there was a difference between stores that sold packaged liquor and places where people could go in and drink too much.

Councilmember Zacarías stated she agreed with Councilmember Patino. There were already several places in the immediate area of this application that sold alcoholic beverages, and there were a lot of children in the area. The area was heavily congested. She agreed with the Police Department's recommendation.

Councilmember Orach stated there was a difference in the scope of a business like this one. The major inventory for a small store like this was tobacco and alcoholic beverages. This area had several other stores that sold alcoholic beverages, and he didn't think there was a public convenience or necessity for this license. He agreed with the staff recommendation.

Item 3J – Restricted Parking of Vehicles over 6 feet in height on Centerpointe and Lakeside Parkways
Councilmember Zacarías stated she wanted to make sure that the City was not squeezing out the Clean Air Express which usually parked on these two streets.

City Manager Ness stated staff had worked very closely with the County. The buses were now parking in the parking lot on weekends and not on the streets.

Consent Calendar Items A through J, excluding Item 3F, were approved on motion by Councilmember Zacarías, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of July 1, 2008, were approved as submitted.

C. EMPLOYER PAID MEMBER CONTRIBUTIONS
Resolution Nos. 2008-104, 2008-105, and 2008-106 were adopted authorizing the payment and reporting of the value of Employer Paid Member Contributions to the California Public Employees' Retirement System for Public Safety Managers and Non-Represented Management and Confidential Employees and amending Sections 13 and 18 of Resolution No. 2008-16 pertaining to Deferred Compensation and Post Employment Health Plan contributions.

Resolution No. 2008-104 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE PAYMENT AND REPORTING OF THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR THE PUBLIC SAFETY MANAGERS.

Resolution No. 2008-105 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE PAYMENT AND REPORTING OF THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR THE NON-REPRESENTED MANAGEMENT AND CONFIDENTIAL EMPLOYEES.

Resolution No. 2008-106 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING SECTIONS 13 AND 18 OF RESOLUTION NO. 2008-16 PERTAINING TO DEFERRED COMPENSATION AND POST EMPLOYMENT HEALTH PLAN CONTRIBUTIONS FOR NON-REPRESENTED MANAGEMENT AND CONFIDENTIAL EMPLOYEES.

D. WARRANTS
Warrant Nos. 143203 to 143547 in the amount of $1,662,609.24 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 130345, 136590, 137289, 142747, and 143324 were cancelled.

E. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative

Services and having been approved for payment by the Director of Administrative Services.

F. ABC LICENSE
Pulled for a separate vote.

G. AWARD OF BID
Resolution No. 2008-107 was adopted approving an agreement with Graham Contractors, Inc., for Bid No. 2009/03, Street Maintenance (Chip Seal) in the amount of $815,957.20.

Resolution No. 2008-107 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A CONTRACT WITH GRAHAM CONTRACTORS, INC., FOR STREET MAINTENANCE (CHIP SEAL), BID NO. 2009/03.

H. PROPOSITION 1B GRANT
Resolution No. 2008-108 was adopted approving receipt of Proposition 1B Transit Security Funds from the State of California in the amount of $103,270 for security cameras at the SMAT Maintenance and Operation facility and the yet-to-be-built Intermodal Transit Center.

Resolution No. 2008-108 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING PROPOSITION 1B TRANSIT SECURITY PROJECTS.

I. ANGLE PARKING
Resolution No. 2008-109 was adopted approving the establishment of angle parking on East Church Street between Miller Street and School Street.

Resolution No. 2008-109 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING ANGLE PARKING ON EAST CHURCH STREET PURSUANT TO SECTION 7-5.24 OF THE SANTA MARIA MUNICIPAL CODE.

J. PARKING RESTRICTION
Resolution No. 2008-110 was adopted approving a parking restriction of vehicles over six feet in height on Centerpointe Parkway and Lakeside Parkway.

Resolution No. 2008-110 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE RESTRICTION OF PARKING VEHICLES OVER SIX FEET IN HEIGHT ON CENTERPOINTE PARKWAY AND LAKESIDE PARKWAY PURSUANT TO SECTION 22507 OF THE CALIFORNIA VEHICLE CODE.

F. ABC LICENSE
City Manager Ness stated Mayor Lavagnino had suggested that staff should look at another way to provide criteria for the Council to consider in deciding whether or not to approve public convenience and necessity for an ABC License. Staff had struggled with this for many years. The two criteria that were used were the over concentration of licenses in one area using the census tracts, and the over concentration of crime within the police reporting districts. Staff provided as much information to the Council as possible as to how many licenses there were within the census tract, where they were located, and how close they were to the property in question. The Council could look at those on a case-by-case basis. In this particular case, that census tract would allow three licenses, and it currently had four. This would make the fifth.

Mayor Lavagnino stated some of the census tracts were very large and took in a tremendous amount of area while other census tracts were very small. He suggested staff take a look at the census tracts again.

On motion by Councilmember Zacarías, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Orach, Patino, and Zacarías
NOES: Councilmember Trujillo and Mayor Lavagnino
ABSENT: None
ABSTAIN: None

Council declined to make a finding of public convenience and necessity for a Type 20 Alcoholic Beverage License for Mercado Y Carniceria La Mia, 112 East Grant Street, as the location was in a crime reporting district that had an undue concentration of crime and a census tract where the number of existing off-sale liquor licenses already exceeded the number of licenses that were allowed.

Mayor Lavagnino moved Item No. 8 forward on the agenda at this time as Council would probably continue the item to the next meeting at the request of Councilmember Orach.

APPOINTMENTS TO BOARDS AND COMMITTEES
The item is for Council to consider making appointments to the Block Grants Advisory Committee and the Library Board of Trustees.

Councilmember Orach stated the City had a situation where some very good people had applied for the Block Grants Advisory Committee. There was a person who had applied who was a paid representative of a non-profit organization. He had a personal concern with someone making decisions for funding for non-profit organizations and working for a non-profit organization. He suggested the Council consider a policy that would prohibit a person from serving on the Committee that was a paid employee of a non-profit organization. Then there would be grounds in the future for not appointing someone who may have a conflict of interest. He asked that the Council discuss this at a later date.

Councilmember Zacarías stated she would like to have input from the Block Grants Advisory Committee.

Mayor Lavagnino stated if a person was a paid staff member, they had the right to step down and not participate in the discussion of the item.

A majority of the Council agreed to look at a policy at a future meeting.

City Manager Ness stated he understood that the Council would like to continue the appointments to the Block Grants Advisory Committee to the next City Council meeting with a discussion added at that time about whether to allow paid staff of non-profit organizations to serve on the Committee. There were not sufficient applicants to fill all the vacancies on the Committee, and staff was asking that Council extend the deadline to July 24th.

On motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Appointments to the Block Grants Advisory Committee were continued to the meeting of August 5th, and staff was directed to readvertise.

City Manager Ness indicated that the second part of the item was an appointment to the Library Board of Trustees and suggested the Council move forward with that appointment since there was only one applicant.

On motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

William Peterson was reappointed to the Library Board of Trustees for another term.

GENERAL PLAN AMENDMENT AND ZONE CHANGE FOR SHARER BROTHERS
Director of Community Development Lindsey gave the staff report. The request is for a Negative Declaration, General Plan Amendment and Zone Change for the Sharer Brothers Project located at the northeast corner of South Blosser Road at Boone Street. The amendment to the General Plan (Land Use) is from 6.2 acres of HCM (Heavy Commercial Manufacturing) to 1.35 acres of HDR (High Density Residential) and 4.85 acres of CC (Community Commercial), and a zone change from 6.2 acres of CM (Commercial Manufacturing), to 1.35 acres of PD/R-3 (Planned Development/High Density Residential) and 4.85 acres of PD/C-2 (Planned Development/General Commercial). The applicant originally submitted an application for approximately 3.2 acres located at 412 South Blosser Road and proposed to develop the site with a neighborhood grocery store. The project was then amended to include the adjacent 3-acre parcel located at 512 South Blosser Road, to create the 6.2-acre project site. The project now conceptually will include up to 80,000 square feet of retail-commercial space and a 24-unit apartment development. Staff believes that the conceptual project has great potential to establish an integrated commercial-residential space, with strong internal and external pedestrian/transit-friendly connections. On June 18, 2008, the Planning Commission adopted Resolution No. 2511 on a 5-0 vote, recommending that the City Council approve a Negative Declaration of Environmental Impact and Resolution No. 2512, also on a 5-0 vote, recommending that the City Council approve the General Plan Amendment and Zone Change for the project.

Mayor Lavagnino opened the public hearing. Hearing no requests to speak, Mayor Lavagnino closed the public hearing.

Councilmember Patino read from the staff report and asked about parking for the complex.

Gil Palacios, representing the applicants, stated the conceptual plan called for the required number of parking spaces and would conform to the City's standards for parking.

Councilmember Patino asked about the bus stop location and where the entrances and exits would be located.

Mr. Palacios explained, from the conceptual site plan, where the bus stop would be located and where the entrances and exits into the shopping center would be located.

Councilmember Patino expressed concerns about the fast-food restaurant to be located at the corner of Boone Street and Blosser Street because of the number of children in the area.

Mr. Palacios stated those were some of the same concerns expressed by the Planning Commission, and he was working with staff to resolve those issues.

Councilmember Patino asked if the apartment complex would have an on-site manager and would be well managed.

Mr. Palacios replied that they would have on-site management, and they were working with the Housing Authority to provide that.

Councilmember Trujillo stated he thought this project fit very well in the area and would be an improvement to the area. He was in favor of the project.

Councilmember Patino asked about allowing left and right turns out of the shopping center and expressed concerns about that. She felt left turns should be prohibited onto Blosser Road.

Mr. Palacios stated he was working with Public Works staff on that.

Councilmember Patino stated she thought the project was great, and she was glad they were working to address the traffic issues.

Director of Community Development Director asked if it was the consensus of the Council to limit left turns on Blosser Road.

Mayor Lavagnino stated he would prefer to have the traffic engineers look at that and make the decision.

Resolution No. 2008-111 was adopted authorizing the filing of a Negative Declaration of Environmental Impact (E-2007-004) on motion by Councilmember Trujillo, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2008-111 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE NEGATIVE DECLARATION E-2007-074 FOR THE SHARER BROS. GENERAL PLAN (LAND USE) AMENDMENT AND ZONE CHANGE GPZ-2007-004, LOCATED AT 422 AND 512 SOUTH BLOSSER ROAD, ASSESSOR'S PARCEL NUMBERS 123-090-006 AND -007.

Resolution No. 2008-112 was adopted amending the General Plan (Land Use) from 6.2 acres of HCM (Heavy Commercial Manufacturing) to 1.35 acres of HDR (High Density Residential) and 4.85 acres of CC (Community Commercial) on motion by Councilmember Trujillo, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2008-112 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A GENERAL PLAN (LAND USE) AMENDMENT FOR THE SHARER BROS. PROJECT, ON 6.2 ACRES OF PROPERTY LOCATED AT 422 AND 512 SOUTH BLOSSER ROAD, ASSESSOR'S PARCEL NUMBERS 123-090-006 AND -007 (FILE NO. GPZ-2007-001).

Ordinance No. 2008-14 was introduced by title only for first reading and continued to the next meeting for second reading and adoption rezoning the site from 6.2 acres of CM (Commercial Manufacturing), to 1.35 acres of PD/R-3 (Planned Development/High Density Residential) and 4.85 acres of PD/C-2 (Planned Development/General Commercial) on motion by Councilmember Trujillo, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2008-14 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, REZONING PROPERTY FOR THE SHARER BROS. PROJECT LOCATED AT 422 AND 512 SOUTH BLOSSER ROAD, ASSESSOR'S PARCEL NUMBERS 123-090-006 AND -007, 6.2 ACRES (FILE NO. GPZ-2007-004).

ZONING TEXT AMENDMENTS TO CHAPTER 26 OF TITLE 12 OF THE SANTA MARIA MUNICIPAL CODE.

Director of Community Development Lindsey gave the staff report. The recommendation from the Planning Commission is to approve a Negative Declaration and introduce an ordinance amending Section 12-26.02 of Chapter 26 of Title 12 of the Municipal Code to allow attached accessory structures, such as patio covers, to intrude into required setback areas in the R-1 (Single Family Residential) zone and RSL-1 (Small Lot Single Family Residential) zone. The amendments would allow patio covers, open on 3 sides and not exceeding 10 feet in height, no larger then 200 square feet and no wider than 20 feet to be located in the required side yard provided that the vertical supports are 5 feet from the property line and that the eaves are a minimum of 4 feet from the property line. On June 18, 2008, the Planning Commission adopted Resolution No. 2515 on a 5-0 vote, recommending that the City Council approve a Negative Declaration of Environmental Impact and Resolution No. 2516, also on a 5-0 vote, recommending that the City Council adopt an ordinance amending Title 12 of the Municipal Code.

Mayor Lavagnino opened the public hearing. Hearing no requests to speak, Mayor Lavagnino closed the public hearing.

Resolution No. 2008-113 was adopted authorizing the filing of a Negative Declaration of Environmental Impact (E-2008-022) on motion by Councilmember Zacarías, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2008-113 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, FINDING NO DETRIMENTAL ENVIRONMENTAL IMPACT AND DIRECTING THE FILING OF A NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT REGARDING AMENDMENTS TO CHAPTER 26 OF TITLE 12 TO THE SANTA MARIA MUNICIPAL CODE, E-2008-022.

Ordinance No. 2008-15 was introduced by title only for first reading and continued to the next meeting for second reading and adoption amending Chapter 26 of Title 12 pertaining to intrusions into required setback areas on motion by Councilmember Zacarías, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2008-15 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING CHAPTER 12-26 OF THE SANTA MARIA MUNICIPAL CODE, RELATING TO INTRUSIONS INTO YARDS.

ANNUAL ADJUSTMENTS TO ASSESSMENTS FOR THE FOUR LANDSCAPE MAINTENANCE DISTRICTS.

Director of Recreation and Parks Posada gave the staff report. The City has four Landscape Maintenance Districts and 18 Special Benefit Zones which were formed pursuant to the California Streets and Highways Code and the 1972 Landscape and Lighting Act. As new development occurs within each of the Districts,

developers/owners agree to be annexed into a Landscape Maintenance District. In 2008-09, it is projected that there will be 8,100 dwelling units and 425 commercial properties within the four Districts. This is an overall increase of 603 residential dwelling units and 79 commercial units. Since 2004, all residential and commercial assessments are assessed the same amount within their respective District. Current assessments will be increased by 2.9 percent based on the Consumer Price Index (CPI). The amounts of the increases in each residential District as shown in the Engineer's Report were approved on May 20, 2008.

Mayor Lavagnino opened the public hearing.

Joan Leon stated she lived in the Miller Street area and appreciated the way those landscaped areas looked. She asked if the developers were responsible for installing the landscaping initially. She indicated she had emailed Director Posada her questions earlier and had received answers to her questions. She talked about the assessment on her property compared to the assessment for the levee. She felt with the increases in the number of residential and commercial units this year, the assessments could be less.

Director Posada explained that the developers were responsible for installing the landscaping for their developments initially. With the new developments, there was also increased landscaping for the City to maintain which increased the costs.

Hearing no further requests to speak, Mayor Lavagnino closed the public hearing.

Resolution No. 2008-114 was adopted ordering the assessments for the South Miller Street/South College Drive Landscape Maintenance Assessment District on motion by Councilmember Orach, seconded by Councilmember Zacarías, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2008-114 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE SOUTH MILLER STREET/SOUTH COLLEGE DRIVE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-6.

Resolution No. 2008-115 was adopted ordering the assessments for the Northwest Landscape Maintenance Assessment District on motion by Councilmember Orach, seconded by Councilmember Zacarías, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2008-115 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE NORTHWEST LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-9.

Resolution No. 2008-116 was adopted ordering the assessments for the Northeast Landscape Maintenance Assessment District on motion by Councilmember Orach, seconded by Councilmember Zacarías, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2008-116 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE NORTHEAST LANDSCAPE MAINTENANCE DISTRICT NO. DS-10.

Resolution No. 2008-117 was adopted ordering the assessments for the Southwest Landscape Maintenance Assessment District on motion by Councilmember Orach, seconded by Councilmember Zacarías, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2008-117 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE SOUTHWEST LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-11.

ANNUAL WEED ABATEMENT ASSESSMENTS

Director of Public Works/City Engineer Whitehead gave the staff report. On April 15, 2008, the City Council adopted Resolution No. 2008-54 ordering the Streets and Facilities Manager to abate the nuisances as described in Resolution No. 2008-31. The nuisances were to be abated by the removal of weeds, rubbish, and dirt by appropriate means. On March 19, 2008, Streets and Facilities staff mailed an abatement letter to owners of 143 properties. The letter advised the property owners that their property was in need of abatement and gave them the opportunity to accomplish the abatement on their own. Property owners abated 128 lots. The City's contractor abated weeds and debris on the balance of the 15 lots. The cost for the abatement of the 15 lots will be assessed as part of the property tax bills.

Mayor Lavagnino opened the public hearing. Hearing no requests to speak, Mayor Lavagnino closed the public hearing.

Resolution No. 2008-118 was adopted approving the assessments for the 2008 Annual Weed Abatement Program on motion by Councilmember Patino, seconded by Councilmember Trujillo, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2008-118 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING REPORT OF WEED ABATEMENT COSTS FOR ASSESSMENT PURPOSES BY THE STREETS AND FACILITIES MANAGER.

WEST MCCOY LANE TRAFFIC MANAGEMENT ALTERNATIVES

Director of Public Works/City Engineer Whitehead gave the staff report. Staff was seeking direction from the City Council regarding ways to address congestion and safety issues for West McCoy Lane at the Kohl's Shopping Center. Congestion on McCoy Lane west of Broadway had become an increasing cause of concern. The congestion was primarily caused by increased traffic on McCoy Lane due to continued development at the west end of the City, and the recent commercial development on McCoy Lane just west of Broadway. In August 2007, the City installed traffic calming measures on McCoy Lane. The purpose of the delineator installation was to eliminate queuing conflicts between the left turn movements at the traffic signal and at the Kohl's driveway. The installed measures were successful for the intended purpose. However, the measures did not address other traffic congestion issues on McCoy Lane. At the December 4, 2007, City Council meeting, staff was directed to review alternatives to

reduce congestion and safety issues along McCoy Lane after concerns were expressed during the public hearing for the Refugio Townhomes project. Specifically, City Council identified four issues of concern: 1) left turn access into Kohl's and Walgreen's; 2) another traffic signal on West McCoy Lane; 3) speeds on McCoy Lane; and 4) providing gaps in traffic to facilitate left-turn egress from Somerset Gardens. McCoy Lane is a secondary arterial roadway. Arterial roadways lean toward the mobility side, meaning that some form of access limitation is applied to adjacent properties. Access limitations could mean the number of access points, or it could mean that the form of access is limited. The Kohl's site had a single access point on McCoy Lane with full access. Full access meant that all vehicular movements were allowed into and out of the site. Staff studied the traffic operations, the accident history in the area, and law enforcement efforts on West McCoy Lane, and developed alternatives to address the immediate congestion issues on McCoy Lane, as well as two potential locations for a traffic signal in order to better manage traffic access and vehicle speeds on McCoy Lane. On May 29, 2008, the Public Works Department hosted a public meeting to gather public comments on the alternatives. The alternatives for the Kohl's/Walgreen's Driveway congestion include taking no action, installing a raised median from Broadway to Professional Parkway, installing a temporary delineator median from Broadway to Professional Parkway, restricting left turns out of the commercial areas, and a continuous two-way left turn lane extending from Broadway to Professional Parkway. Traffic signal alternatives include installing a traffic signal on McCoy Lane and Depot Street or on McCoy Lane and Professional Parkway.

Mayor Lavagnino asked if it would be prudent to allow a trial period for the temporary median so Council could see what happened before making a decision on a traffic signal. That way after a period of time, staff could see how the temporary median would affect Professional Parkway or Depot Street and could make a professional decision on the need and location of a traffic signal.
Director Whitehead stated that was a good idea and would allow staff time to continue working with Caltrans.

Councilmember Trujillo stated he agreed with Mayor Lavagnino that installing temporary delineators was the best decision.

Marian Somers stated she had lived on McCoy Lane for 30 years and had watched the traffic patterns change. She could not believe that the City allowed the development to be built as it was. It was a problem from the beginning. There should have been a secondary exit which now exists on Broadway. She said putting a traffic signal on Professional Parkway or Depot Street would not solve the problem because the congestion was only in the small area around Kohl's. If they were going to put in temporary delineators, there would have to be a U-turn allowed at Professional Parkway. She said the other problems were the increased amount of large truck traffic on McCoy Lane and speeding. It had become a raceway.

Councilmember Zacarias asked if drivers turning west onto McCoy Lane to get to Kohl's would have to go to Professional Parkway and make a U-turn. She asked if that would cause more problems and be more dangerous.

Director Whitehead stated staff did not intend to prohibit U-turns at Professional Parkway. It would be a free U-turn where drivers would have to proceed with caution when it was safe. He hoped that people would realize after the first time that they should continue 500 feet down Broadway and make a right turn into the Kohl's shopping center. He said staff would look at the behavior of drivers after the delineators were installed and then study the best place to install a traffic signal.

City Manager Ness stated that one other thing the Public Works Department could look at during the trial period was a four-way stop at Professional Parkway.

Councilmember Zacarias stated it took her a long time to discover the entrance into Kohl's from South Broadway and asked about the width of that entrance.

Director Whitehead explained there was a deceleration lane on South Broadway for turning into the Kohl's driveway, and it was a wide driveway. He said staff hoped that people would enter from the main entrance on Broadway. During the design of the site, the developer went to Caltrans and requested a traffic signal at that location. Their request was denied. The developers designed the entrance on Broadway to line up with the entrance to the shopping center on the east side of Broadway so a traffic signal could be installed at some point in the future.

Mayor Lavagnino asked if the City could use some type of signage to direct people to use the Broadway entrance into Kohl's.

Director Whitehead stated staff could incorporate that with the installation of the new delineators.

Councilmember Trujillo stated he lived in the area and used McCoy Lane every day. He felt staff really needed to study it very thoroughly and not rush into anything.

Councilmember Orach stated he was quite surprised that there were only 6 accidents in that area in the last 15 months. Putting a traffic signal somewhere along McCoy Lane would help to decrease the speed. Broadway south of McCoy Lane was four lanes with a deceleration lane to turn into the Kohl's shopping center. He felt the temporary delineators were less expensive to the City and less expensive on cars hitting them. If people could not make left turns, they would learn to continue down Broadway and turn right into Kohl's.

Councilmember Patino moved to adopt Alternative 2A, installation of temporary delineators on West McCoy Lane, and directed staff to come back in six months with a report.

City Manager Ness suggested that staff collect six months of data and then be allowed additional time to evaluate the data before bringing back a report.

Councilmember Zacarías expressed concern about U-turns at Professional Parkway.

Director Whitehead explained that staff would issue press releases and would provide public notification.

Mayor Lavagnino suggested staff have the option to install temporary four-way stop signs at Professional Parkway if it appeared that location was becoming a problem.

Councilmember Zacarías seconded the motion with that option. The motion carried on the following vote:

AYES:	Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

CITY MANAGER'S REPORT

City Manager Ness reported on items expected for the August 5, 2008, City Council meeting including a presentation of year-end reports from the Chamber of Commerce and Economic Development Committee, award of bid for a street reconstruction project, call for bids on the Alvin Safe Routes to School project, second reading of the two ordinances introduced tonight, and an entertainment license for Los 3 Amigos Billiard.

ORAL REPORTS BY COUNCILMEMBERS

Councilmember Trujillo reported that he and Councilmember Orach gave a briefing to the Hispanic Chamber of Commerce on July 7th on the City's budget.

Councilmember Patino stated she would like to place two items on the agenda, 1) a workshop with the Planning Commission to discuss an inventory of land uses available

and to let the Planning Commission know what the Council's intension were; and 2) an item regarding flower and other vendors.

Council concurred to place those two items on a future agenda.

Mayor Lavagnino reported that on July 2nd he attended a reception for Councilmember Zacarías at the Santa Barbara County Family Care Center where she is now the Executive Director. On July 6th, he attended the Patriotic Sunday at the First Baptist Church. On July 8th, he attended the Santa Barbara County Fair kick-off party; and on July 9th, he attended a recognition reception for Curtis Tunnell, who is 98 years old, at Merrill Gardens.

Councilmember Zacarías reported she and Councilmember Trujillo spoke to representatives from the Orfelea Foundation that would be starting a new initiative on disaster preparation.

Councilmember Orach commented that an opinion page in the newspaper recently stated that some of the things that the Council did at the Council meetings, such as presenting proclamations, was nonsensical. He said it upset him that people in the community did not want the Council to recognize important people and organizations. The article also said the Council Members reports on their activities in the community were not necessary.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned by Mayor Lavagnino at 8:40 p.m.

APPROVED

August 5, 2008
Date

Patricia A. Adley
Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST

Patricia A. Adley
Chief Deputy City Clerk

Mayor of the City of Santa Maria